

ANNUAL REPORT TO THE COUNCIL

TO: City Council
FROM: Robert Flint, Planning Commission Chair
BY: Joe Mateer, Senior Planner
SUBJECT: 2012 Annual Report of the Planning Commission
DATE: February 12, 2013

SUMMARY:

Pursuant to Government Code Section 65400, the following is the Annual Report to the City Council. The following discussion items were updated in the City Resolution No. 123-07, dated October 3, 2012.

DISCUSSION:

1) Progress on Goals:

A discussion follows each of the Planning Commission's recommended goals from the 2011 Annual Report:

- a. Make the Samoa Specific Plan a priority for the Planning Commission and the Community Development Department. SAMOA AREA SPECIFIC PLAN IS UNDER CONTRACT WITH PRIVATE CONSULTANTS THAT ARE CURRENTLY WORKING ON EXISTING CONDITIONS AND DESIGN GUIDELINES. THE CONTRACT TIMELINE SCHEDULE STATES THE PLANNING COMMISSION WILL REVIEW THE SPECIFIC PLAN WITHIN 18 MONTHS.
- b. Initiate the periodic review process on the Land Use Code to further refine this implementation tool of the General Plan. THE PLANNING COMMISSION REVIEWED SEVERAL LAND USE CODE AMENDMENTS THAT WERE EVENTUALLY ADOPTED BY THE CITY COUNCIL. THE AMENDMENTS INCLUDED: SECONDARY DWELLING UNITS; ANIMAL KEEPING; MINOR USE PERMITS; AND DESIGN REVIEW.
- c. Provide local training for Commissioners. THE PLANNING COMMISSION IS INFORMED ABOUT LOCAL AND REGIONAL TRAINING OPPORTUNITIES ON A REGULAR BASIS. THE CITY OF ARCATA PARTNERS WITH PUBLIC AND PRIVATE ORGANIZATIONS TO ASSIST IN SPONSORSHIP OF THESE EVENTS. HOWEVER, THE BUDGET FOR TRAINING LIMITS COMMISSIONERS PARTICIPATION IN SOME TRAINING OPPORTUNITIES.
- d. Conduct study sessions on regional planning issues that affect Arcata. NO ACTION
- e. Periodically consider Commission procedures as business items. IMPLEMENTED AS NEEDED.

Other goals were established through study sessions and the fiscal year goal setting process. Furthermore, the City Council identified important focal points for the Commission and Staff in addition to their regular duties.

2) How Community/Citizen needs are being met:

The Planning Commission (Commission) is concerned with meeting the needs of the community as a whole as well as the individual needs of each applicant and members of the public who come before the Commission. The Commission is responsible for reviewing discretionary projects and acting in a manner consistent with applicable laws, that takes into account the needs of the applicant, the neighborhood, and the community as a whole.

The Commission reviewed several actions related to the City's Certified Local Coastal Program and approved resolution PC-12-04 which amended the Coastal Land Use Map and Implementation Map as directed by the California Coastal Commission.

The Commission: approved a Use Permit for an expansion of an existing agricultural process facility; approved development of a new fire station; recommended approval of a Planned Development Permit for a new biodiesel production facility and service station; recommend approval of a Landmark Historic status; recommend approval of Urban Services Boundary amendment and emergency extension of services outside City boundary. Other projects reviewed include a Minor use Permit for a proposed secondary dwelling unit that was ultimately withdrawn by the applicant; and the potential annexation of the Boyd/West End Road, and Shirley Boulevard areas.

Several Commission meetings were cancelled either because of lack of quorum or lack of action items. The poor economic climate contributes to the reduced number of planning permits before the Commission. In addition the Land Use Code's intent of streamlining permit review by authorizing the Zoning Administrator to take action has been effective by reducing the number of discretionary permits reviewed by the Commission.

Each Planning Commission agenda includes a scheduled opportunity for public input on matters not on the agenda. The Planning Commission provides ample opportunity for public participation. And in order to encourage public participation, Oral Communications is located at the beginning of each meeting. The Planning Commission meetings are televised live for the benefit of the public. Similar to the City Council meetings, the Planning Commission meetings and staff reports are also available for viewing on the City's website via the *Granicus* link. All agendas are provided to local newspapers and posted on the City's web-site, in addition to the direct mail and other legally required public notices.

As in the past, several other departmental Staff members often attend Commission meetings for consultation on projects. Their attendance allows the Commission the opportunity to explore details and options of the project during the meeting.

3) How the responsibilities of the Commission are being fulfilled:

The Planning Commission reviews projects as either a quasi-judicial body or as an advisor to the legislative body. It is also responsible for advising the City Council on issues as may be referred by the Council. The Planning Commission advises the City Council on the adoption of plans and ordinances (legislative matters) and it is also responsible for taking action on discretionary permits (quasi-judicial matters). The Planning Commission must review discretionary projects to determine if they are in conformance with General Plan policies, local ordinances such as the Land Use Code (LUC) or the Land Use and Development Guide (LUDG) (Coastal Zone) and the balance of the Municipal Code, and State laws like the California Environmental Quality Act (CEQA), the Coastal Act, and the State Subdivision Map Act. Each member of the Commission provides valuable input in his or her area of expertise, as well as thoughtful input in the other features of each project, especially in analyzing impacts and mitigation measures associated with environmental documents.

The Commission has shown a willingness to work with applicants to fulfill their goals while approving projects that conform to the General Plan, the LUDG and / or LUC, and other local and State laws, and which incorporate the desires and needs of the neighborhood and community. The Commission continues to balance their project based on an outdated LUDG and trying to balance decisions between a Coastal Commission recognized 1985 General Plan and the Arcata General Plan: 2020.

4) The effectiveness of the policies and procedures: Currently, in addition to the "Committee, Commission, Board and Task Force Handbook (Revised May 20, 2005)," the Planning Commission uses the "Planning Commissioners Handbook" produced by the League of California Cities as a guide for policies and procedures. It has also been an objective of the Planning Commission to develop their own ground rules that everyone can follow and know what to anticipate from a procedural standpoint; this process began in October of 2000.

The Commission recognizes the challenges of the community and Staff in applying the policies of two General Plans (1985 General Plan for Coastal Zone areas and the Arcata General Plan: 2020 for inland areas). In addition, there have been questions in the interpretation of the policies of the Arcata General Plan: 2020 with regards to the standards of the former LUDG. This will continue to be problematic until the LUC is approved by the Coastal Commission.

Goals for 2013: The Planning Commission has the following recommendations:

- a. Continue to make the Samoa Specific Plan a priority for the Planning Commission and the Community Development Department.
- b. Initiate the periodic review process on the Land Use Code to further refine this implementation tool of the General Plan. Recent court actions may have an impact on the City's Inclusionary Zoning standards and will require the Commission's review to ensure compatibility with state law and court decisions.
- c. Provide local training for Commissioners.
- d. Conduct study sessions on regional planning issues that affect Arcata.
- e. Periodically consider Commission procedures as business items